

1 JAMES R. WILLIAMS, County Counsel (S.B. #271253)  
2 MELISSA R. KINIYALOCTS, Lead Deputy County Counsel (S.B. #215814)  
3 ROBIN M. WALL, Deputy County Counsel (S.B. #235690)  
4 XAVIER M. BRANDWAJN, Deputy County Counsel (S.B. #246218)  
5 OFFICE OF THE COUNTY COUNSEL  
6 70 West Hedding Street, East Wing, Ninth Floor  
7 San José, California 95110-1770  
8 Telephone: (408) 299-5900  
9 Facsimile: (408) 292-7240

10 Attorneys for Defendant  
11 COUNTY OF SANTA CLARA

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(San José Division)

CALVARY CHAPEL SAN JOSE, et al.,

No. 20-CV-03794 BLF

Plaintiffs,

**JOINT STIPULATION TO EXTEND  
EXPERT DISCOVERY DEADLINES; AND  
[PROPOSED] ORDER**

v.

COUNTY OF SANTA CLARA,

**AS MODIFIED BELOW**

Defendant.

**JOINT STIPULATION**

Pursuant to Civil Local Rule 6-2, the parties hereby agree and stipulate to the following extension of the expert discovery deadlines in the above-captioned matter in order to permit the parties to continue to explore settlement with the assistance of Magistrate Judge Laurel Beeler and to accommodate the schedules of counsel and the witnesses who the parties expect will be deposed.

WHEREAS the current deadline for the disclosure of rebuttal expert reports is December 2, 2022, and the overall deadline for expert discovery as stipulated to by the parties and ordered by the Court on April 9, 2021 (ECF 83) is December 16, 2022;

WHEREAS the parties have engaged in reasonably diligent efforts and expert discovery is underway with initial disclosures and reports exchanged on November 10, 2022;

///

WHEREAS the parties are currently engaged in settlement discussions before Judge Beeler, and their next settlement conference is scheduled for November 29, 2022;

WHEREAS the parties believe that extending the time for expert discovery would help facilitate the parties' settlement discussions;

WHEREAS the parties also believe that extending the time for expert discovery would help the parties and their counsel to accommodate the schedules of the disclosed witnesses and counsel at this time of year, when scheduling is difficult;

WHEREAS the parties agree to extend the deadline for the disclosure of rebuttal reports to December 30, 2022, and the overall deadline for expert discovery to January 20, 2023;

WHEREAS there is good cause to extend the expert discovery deadlines to facilitate settlement discussions and to accommodate the schedules of the deponents and counsel;

WHEREAS the parties have previously stipulated to and otherwise sought modifications to briefing schedules, filing and response deadlines, discovery deadlines, and the ADR deadline. *See, e.g.*, ECF 52, 77, 100, 103, 107, 118, 142, 148, 168, 180, 216, 218, 228; and

WHEREAS the parties do not expect the agreed-upon extension to affect the overall schedule for the case apart from the expert discovery deadlines.

Accordingly, for good cause shown, the parties stipulate and respectfully request the Court enter an order extending the expert discovery deadlines as set forth above and in the ~~proposed~~ order submitted herewith.

## IT IS SO STIPULATED.

Dated: November 28, 2022

JAMES R. WILLIAMS  
County Counsel

By: /s/ *Robin M. Wall*

**ROBIN M. WALL**  
Deputy County Counsel

Attorneys for Defendant  
COUNTY OF SANTA CLARA

1 Dated: November 28, 2022

TYLER & BURSCH, LLP

2

3

By: /s/ Mariah Gondeiro  
4 MARIAH GONDEIRO

5

6

Attorneys for Plaintiffs  
7 CALVARY CHAPEL SAN JOSE and  
8 MIKE MCCLURE

9

10

**CERTIFICATION**

11

12

13

Pursuant to Civil Local Rule 5-1(i)(3), I attest that the concurrence of Mariah Gondeiro in the  
14 filing of this stipulation has been obtained.

15

16

Dated: November 28, 2022

By: /s/ Robin M. Wall  
17 ROBIN M. WALL  
18 Deputy County Counsel

19

20

21

22

23

24

25

26

27

28

**[PROPOSED] ORDER**

The Court, having reviewed the parties' Joint Stipulation, and good cause appearing therefor,  
IT IS HEREBY ORDERED that the deadline for the disclosure of rebuttal reports is extended to  
2022  
December 30, 2002, and the deadline to complete expert discovery is extended to January 20, 2023.

19

20

21

22

23

24

25

26

27

28

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 28, 2022

  
The Honorable Beth Labson Freeman  
United States District Judge

2739255